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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/842,894	04/27/2001	Hiroko Shimizu	1341.1092	7590

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EXAMINER

SING, SIMON P

ART UNIT PAPER NUMBER

2645

DATE MAILED: 03/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/842,894

**Applicant(s)**

SHIMIZU ET AL.

**Examiner**

Simon Sing

**Art Unit**

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 07 October 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 9 and 11-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 9, 11-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Claim Objections***

1. Claim 14 is objected to because of the following informalities:

The limitation "the inquiries" recited in lines 12 and 15 lacks antecedent basis.

Appropriate correction is required.

2. Claim 15 is objected to because of the following informalities:

The limitation "the inquiries" recited in lines 15 and 18 lacks antecedent basis.

Appropriate correction is required.

3. Claim 16 is objected to because of the following informalities:

The limitation "the inquiries" recited in lines 14 and 17 lacks antecedent basis.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 17 and 18 recite the limitations of: "the second queue" in line 2, and "the first queue" in line 3. There are insufficient antecedent bases for these limitations in the claims.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 9, 11-16 are rejected under 35 U.S.C. 102(e) as being anticipated by  
Price US 6,389,132.

5.1 Regarding claim 9, Price discloses a multi-tasking call center 28 in figure 1, comprising:

at least one customer (client) terminal 12 comprising a telephone and a computer, the call center 28 is accessible by said computer via Internet 14 and a Web Server 18 (Figure 1; column 3, lines 57-65), or by said telephone via PTSN 16 with an Interactive Voice Response (IVR) unit, for making an inquiry (column 1, lines 5-8; column 2, lines 62-67; column 3, lines 1-10, 35-43, 60-61),

at least one agent (operator) terminal through which an agent receives the inquiry from the customer (Figure 1; column 3, lines 16-26, 35-36; column 4, lines 1-2, 11-15); and

a contact server 20 connected to said customer terminal and agent terminal (Figure 1; column 3, lines 66-67; column 5, lines 3-10);

said customer terminal including:

a user interface (telephone handset or computer display) which allows the customer to select a communication medium to be used when receiving an answer from the agent, the media comprising a voice call and an e-mail (column 4, lines 7-14; column 7, lines 30-41); for example, when the customer using a telephone to make an inquiry, the customer may request an answer via telephone call (column 6, lines 17-22) or via an e-mail by stating his/her e-mail address (column 7, lines 38-41), and when the customer using the computer to make an inquiry, the customer may also request an answer via telephone call (column 6, lines 14-17) or via an e-mail (column 7, lines 41-46); and

a transmission unit which transmits the information related to the communication media selected by the user, the contents of the inquiry, and information related to the user to said server (column 3, lines 1-4, 60-65; column 4, lines 7-9; column 5, lines 3-4; column 7, lines 34-45), wherein said server includes:

a queue-managing unit which queue-manages inquiries in which the user has either selected a telephone calls or an e-mail as communication medium for receiving the answer (column 3, lines 62-65; column 4, lines 1-18; column 7, lines 32-46); and

a processing unit which successively processes the inquiries in a queue on said agent terminal (column 4, lines 1-5; column 5, lines 6-10).

5.2 Regarding claim 11, Price teaches managing the queue with a set of predefined business rules (column 8, lines 41-64).

5.3 Regarding claim 12, Price teaches different communication media for making the request and receiving the answer, for example, when the customer using a telephone to make an inquiry, the customer may request an answer via e-mail by stating his/her e-mail address (column 7, lines 37-41), and when the customer using the computer to make an inquiry, the customer may request an answer via telephone call (column 6, lines 14-17),

5.4 Regarding claim 13, Price teaches that a customer may using a computer to access the call center through Internet 14 and web server 18 in figure 1. Price further teaches connecting a customer to the call center's website (column 4, lines 16-22), which allowing the customer to click on a "live voice request" button displayed on the web page (column 6, lines 40-43), to type a text question (column 5, lines 3-4), to receive information via e-mail (column 7, lines 41-46).

5.5 Regarding claim 14, Price discloses a method for receiving an inquiry from a customer terminal, giving an answer t the inquiry to the customer through an agent terminal, said customer terminal comprising a telephone and a computer capable to access homepages or to send and receive e-mails (Figure 1; column 3, lines 57-61; column 4, lines 7-15; column 7, lines 30-46). Price teaches:

selecting a communication medium to be used when receiving said answer from an agent terminal, allowing the communication medium selected to be different from the one that making inquiry, for example, when the customer using a telephone to make an inquiry, the customer may request an answer via telephone call (column 6, lines 17-22) or via an e-mail by stating his/her e-mail address (column 7, lines 38-41), and when the customer using the computer to make an inquiry, the customer may also request an answer via telephone call (column 6, lines 14-17) or via an e-mail (column 7, lines 41-46);

transmitting information related to the communication medium selected by the user, the contents of the inquiry and information related to the user to a server (column 1, lines 5-8; column 2, lines 62-67; column 3, lines 1-10; column 4, lines 7-9; column 5, lines 1-4; column 6, lines 14-17; column 7, lines 34-46);

queue-managing the inquiry in which the user has either selected a telephone calls or an e-mail as communication medium for receiving the answer (column 3, lines 62-65; column 4, lines 1-18; column 7, lines 32-46); and

communicating with the customer terminal using the communication medium selected when answering the inquiry (column 4, lines 16-18; column 7, lines 32-46).

5.6 Regarding claims 15 and 16, Price discloses a method for receiving an inquiry from a customer terminal, giving an answer to the inquiry to the customer through an agent terminal, said customer terminal comprising a telephone and a computer capable to access homepages or to send and receive e-mails (Figure 1; column 3, lines 57-61;

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column 4, lines 7-15; column 7, lines 30-46). Since Price's system utilizes servers 18-22 and computers (both user and agent terminals), inherently it has computer programs for:

displaying a user interface on said customer terminal so that a customer can select a communication medium to be used when receiving a the answer from an agent terminal (column 4, lines 7-9; column 6, lines 14-17, 38-43; column 7, lines 41-46), allowing the communication medium selected to be different from a the one that making inquiry, such that when the customer using the computer to make an inquiry through a Internet connection to the call center's web page, the customer may request an answer via telephone call (column 6, lines 14-17) or via an e-mail (column 7, lines 41-46);

transmitting information related to the communication medium selected by the user, from the customer terminal, the contents of the inquiry and information related to the user to a server (column 1, lines 5-8; column 2, lines 62-67; column 3, lines 1-10; column 4, lines 7-9; column 5, lines 1-4; column 6, lines 14-17; column 7, lines 34-46);

queue-managing the inquiry in which the user has either selected a telephone calls or an e-mail as communication medium for receiving the answer (column 3, lines 62-65; column 4, lines 1-18; column 7, lines 32-46); and

communicating with the customer terminal using the communication medium selected when answering the inquiry (column 4, lines 16-18; column 7, lines 32-46).



***Response to Arguments***

6. Applicant's arguments filed on 10/07/2004 have been fully considered but they are not persuasive.

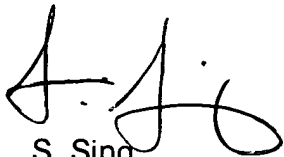
The applicants argue that Price does not teach a user interface with which a user can select a communication medium for receiving an answer from an agent of a call center, and Price only teaches request live voice response (see the Remark, page 8, paragraph 4). However, Price does teach the above limitation such that when a customer uses a telephone (user interface is the handset) to make an inquiry, the customer may request an answer via telephone call (column 6, lines 17-22) or via an e-mail by stating his/her e-mail address (column 7, lines 38-41), and when the customer uses a computer (user interface is the screen) to make an inquiry, the customer may also request an answer via telephone call by clicking on a "live voice request" button (column 6, lines 14-17) or via an e-mail by clicking on the e-mail address (column 7, lines 41-46);

***Conclusion***

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Simon Sing whose telephone number is (703) 305-3221. The examiner can normally be reached on Monday - Friday from 8:30 AM to 5:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang, can be reached at (703) 305-4895. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.


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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4750.



S. Sing.

03/10/20059



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